

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**OPEN SPACE INSTITUTE, INC., et
al.,**

Plaintiffs,

- against -

**AMERICAN ELECTRIC POWER CO.,
INC., et al.,**

Defendants.

**Case No. 04-CV-05670
(LAP) (DFE) (ECF Case)**

NOTICE OF DISMISSAL

The plaintiffs hereby dismiss the above-captioned action pursuant to
Fed. R. Civ. P. 41(a)(1)(A)(i).

December 6, 2011.

/s/ Matthew F. Pawa
Matthew F. Pawa
Pawa Law Group, P.C.
1280 Centre Street, Suite 230
Newton Centre, MA 02459
(617) 641-9550

David D. Doniger
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005
(202) 289-1060

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Notice of Dismissal was served upon the attorney of record for each other party by transmission of the Notice of Electronic Filing through the court's transmission facilities.

/s/ Matthew F. Pawa
Matthew F. Pawa